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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/777,958

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David James Clarke

ID-507 (80218)

7096

27975

7590

01/23/2008

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EXAMINER

POLLACK, MELVIN H

ART UNIT

PAPER NUMBER

2145

NOTIFICATION DATE

DELIVERY MODE

01/23/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

creganoa@addmg.com

Office Action Summary	Application No. 10/777,958	Applicant(s) CLARKE ET AL.	
	Examiner MELVIN H. POLLACK	Art Unit 2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>see attached office action</u> . |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 08 November 2007 have been fully considered but they are not persuasive. The arguments are provided below.
2. Sharma comprises a protocol engine module (Fig. 1, #140; Web server) and a front-end proxy module comprising a common core service module (Fig. 1, #110 and Fig. 2; Voice Browser) and a proxy module (Fig. 1, #150 and Fig. 3; conversion server). The purpose is to perform conversion if and only if the protocols (inherent in formats) of the voice browser (and connected device) and web site (and connected content databases) are inconsistent (Figs. 4-5). The function includes XML handling (Fig. 7B) and a wireless communications (Figs. 8A, 8B, and 9).
3. Applicant argues that Sharma fails to disclose a respective proxy module for communicating with the plurality of mobile wireless communications devices using each different operating protocol (P. 13). In doing so, the applicant seems to mischaracterize the conversion server as teaching the wireless device or voice browser the new operating protocol so that the communication may be performed in this protocol (P. 14). In Sharma, the web server and wireless device continue to use their differentiated formats. Instead, the voice browser sends the request to the conversion server in the phone format, the conversion server retrieves the proper data in the database format, and the conversion server translates the data into the wireless format (Fig. 4, #412-454).
4. Applicant then argues that Sharma does not teach a plurality of wireless devices and operating protocols (P. 14). As shown before, the existence of different protocols is inherent in

the existence of different formats. Multiple devices are described (Para. 32), each with a different operating protocol (Para. 40), and with a different protocol from the web site or proprietary database (Paras. 31, 38-43).

5. Applicant finally argues that Sharma does not teach a common core service module (P. 14). Based on the specification, the common core service module is merely an interface for handing and routing client requests, as currently defined (specification, Paras. 61-64). The voice browser receives requests from multiple clients and determines how and where to transmit them, thus fulfilling the definition (Paras. 35-37).

6. Therefore, the rejection is maintained for the reasons above. This rejection is final.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-9 and 11-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Sharma et al. (2006/0168095).

9. Sharma teaches a method and system (abstract) of content protocol translation (Paras. 1-29 and 208) via proxies between data storage devices and mobile devices, wherein the proxy links to a protocol engine (Paras. 30-33, 85) to convert between conventional internet protocols and XML-type protocols (Paras. 33-37), via template form (Appendix B), thus rendering the pages appropriately (Paras. 38, 58, 112).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sharma as applied to claims 1, 8, 9 above, and further in view of Hind et al. (7,194,683).

12. Sharma does not expressly disclose an XSLT engine. Hind teaches a method and system (abstract) of protocol conversion systems (col. 1, line 1 – col. 4, line 40) in a proxy environment (col. 4, line 40 – col. 6, line 40) that comprises the engine (col. 6, line 40 – col. 7, line 67; col. 9, line 40 – col. 12, line 52). At the time the invention was made, one of ordinary skill in the art would have added XSLT in order to make web documents usable components (col. 3, lines 25-35).

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. They regard further teachings on protocol conversion, XML, and mobile environments.

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MELVIN H. POLLACK whose telephone number is (571)272-3887. The examiner can normally be reached on 8:00-4:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2145

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. H. P./
Examiner, Art Unit 2145

Melvin H Pollack
Examiner
Art Unit 2145

/Jason D Cardone/
Supervisory Patent Examiner, Art Unit 2145